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August 23, 2016

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

21 August 23, 2016

LORI GLASGOW
EXECUTIVE OFFICER

**APPROVE REINSTATEMENT OF RETIRED COUNTY EMPLOYEE AS A120-DAY TEMPORARY
EMPLOYEE
(ALL DISTRICTS AFFECTED)**

(3 VOTES)

SUBJECT

The Office of the County Counsel (County Counsel) requests that the Board grant an exception to the 180-day waiting period required under the California Public Employees' Pension Reform Act (PEPRA) of 2013, by reinstating a retired County employee as a 120-day temporary employee.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that, as a result of the retirement of Ms. Anita Lee (Ms. Lee) on July 16, 2016, it is critically necessary to receive immediate and ongoing legal services from an individual highly knowledgeable in Medicare and Medi-Cal reimbursement rules and regulations, as well as mental health funding programs, in order to ensure continuing and necessary revenue streams to the Department of Health Services (DHS) as well as the Department of Mental Health (DMH), and that Ms. Lee is uniquely qualified to provide this legal assistance.
2. Authorize County Counsel to immediately reinstate Ms. Lee as a temporary employee upon Board approval, waiving the normal 180-day waiting period required under Government Code § 7522.56 (Code).

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Effective July 16, 2016, County Counsel employee Ms. Lee retired from active Los Angeles County (County) service. Ms. Lee is highly knowledgeable in Medicare and Medi-Cal reimbursement laws and has provided critical legal assistance to DHS and DMH over the last sixteen years, analyzing and advising on multiple reimbursement and other issues that impact DHS and DMH revenues. Ms. Lee has extensive experience in communicating with the State and Federal agencies that oversee the Medi-Cal and Medicare programs. She played a key role in negotiating many finance-related issues that ultimately resulted in substantial financial benefit to both departments. The revenue programs included Medi-Cal fee-for-service, Medi-Cal managed care, Cost-Based Reimbursement Clinics, Waiver funding, and Drug/Medi-Cal, among others. Ms. Lee also has substantial experience with mental health programs and funding. Under the latest 1115 Waiver, DHS applied for \$90.0 million to operate a pilot Whole Person Care program that is designed to integrate physical and mental health services. Ms. Lee's legal expertise in mental health programs and funding will be invaluable as DHS launches this new program.

Current personnel do not have Ms. Lee's level of knowledge, and she will provide critical assistance on multiple legal issues that have significant fiscal impact to DHS and DMH.

County Counsel requests that the Board approve the immediate reinstatement of Ms. Lee as a temporary 120-day employee, waiving the 180-day waiting period required under PEPRA.

Implementation of Strategic Plan Goals

The recommended action supports Goal 1, Operational Effectiveness/Fiscal Sustainability, of the County's Strategic Plan, maximizing public services by reinstating experienced former employees, and promoting sound and prudent fiscal practices by reducing overtime and training costs.

FISCAL IMPACT/FINANCING

Funding for this position exists within County Counsel's budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Under the Code, a retiree must wait 180 days from the date of retirement before returning to work for the County on a temporary basis. An exception to this rule applies if the employer certifies that the employee's immediate reinstatement is necessary to fill a critically needed position and provided that the hiring has been approved by the Board in an open meeting.

County Counsel requests that the Board grant an exception to this 180-Day rule, allowing Ms. Lee to assist on multiple legal issues facing DHS and DMH. It is very important that County Counsel is able to place Ms. Lee as soon as possible to work on projects that will have substantial financial ramifications to both DHS and DMH.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will help to ensure that DHS and DMH are able to maximize Medicare, Medi-Cal and Waiver revenues.

CONCLUSION

Ms. Lee's vast knowledge of Medicare and Medi-Cal reimbursement rules and regulations, and her experience with mental health funding programs, makes her expertise highly valuable. Because of the importance of these revenue streams to DHS and DMH, County Counsel requires her legal expertise to assist with projects that have significant fiscal impact to DHS and DMH. Ms. Lee's immediate reinstatement as a temporary employee will ensure that critical legal services can be provided to these departments to enable them to maximize revenues.

Respectfully submitted,

A handwritten signature in blue ink that reads "Luthi J. Tolusei, for". The signature is written in a cursive style with a horizontal line above the first part of the name.

MARY WICKHAM

County Counsel

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